



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Geng et al.

**Serial No.:** 10/038,355

**Filed:** January 4, 2002

**Entitled:** Service Clusters and Method in a Processing System with Failover Capability

**Attorney Docket No.:** 112153.126

**RECEIVED**  
JUL 2 8 2003  
Technology Center 2100  
Group Art Unit: 2152

MS IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to MS IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Date: July 23, 2003

Patricia Corrigan  
Patricia Corrigan

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the following documents listed on the attached Form PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits and is therefore submitted as both timely and proper.

It is respectfully requested that the information above be expressly considered during the prosecution of this application and that the publication be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This submission does not constitute a representation by Applicant that a search has been made or that no better art exists and does not constitute an admission that any of the listed

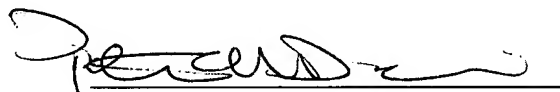
documents are material or constitute "prior art." Applicant reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Copies of the documents listed on the attached Form PTO-1449 are submitted herewith. It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 with the next Patent Office communication.

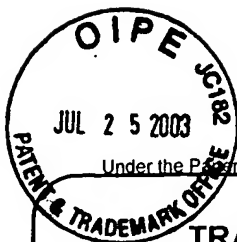
No fee is deemed necessary in connection with this filing. In the event a fee is due, the Commissioner is authorized to charge any other fee required to maintain the pendency of the application or to credit any overpayment to Deposit Account No. 08-0219.

Respectfully submitted,

Date: 7/23/03

  
Peter M. Dichiara  
Attorney for Applicant  
Reg. No. 38,005

Hale and Dorr LLP  
60 State Street  
Boston, MA 02109  
Tel: (617) 526-6000  
Fax: (617) 526-5000



GAO 2152 #5  
19  
12-15-03

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/038,355
Filing Date	01/04/2002
First Named Inventor	Geng
Art Unit	2152
Examiner Name	TBA
Attorney Docket Number	112153.126

Total Number of Pages in This Submission

### ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_

- ☐ After Allowance communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):
  - Postcard

#### Remarks

1. Twelve references as cited

# RECEIVED

JUL 2 8 2003

Technology Center 2100

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Peter M. Dichiaro
Signature	
Date	7/23/03

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Patricia Corrigan
Signature	
Date	July 23, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Subt. For, PTO-1449				Docket Number 112153.126		Application Number 10/038,355	
INFORMATION DISCLOSURE IN AN APPLICATION  (Use several sheets if necessary)				Applicant Scott Geng, et al			
				Filing Date January 4, 2002		Group Art Unit 2152	
Sheet	1	OF	1				

U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,091,732	07/18/00	Alexander, Jr. et al			
	6,178,171	01/23/01	Alexander, Jr. et al.			
	5,818,842	10/06/98	Burwell et al.			
	5,835,725	11/10/98	Chiang et al.			
	5,825,772	10/20/98	Dobbins et al.			
	5,208,811	05/04/93	Kashio et al.			
	6,003,137	12/14/99	Kawasaki			
	5,590,285	12/31/96	Krause et al.			
	5,535,338	07/09/96	Krause et al.			
	6,195,705	02/27/01	Leung			
	5,473,599	12/05/95	Li et al.			
	5,970,066	10/19/99	Lowry et al.			

RECEIVED  
JUL 2 8 2003  
Technology Center 2100

Foreign Patent Documents							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.	